

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

vs.

Jared Lee Loughner,

Defendant.

CASE NO. 11cr0187 TUC LAB

**ORDER ON FUTURE SEALING
REQUESTS**

In the interest of minimizing administrative confusion arising from requests to seal documents that are lodged with the Clerk of the Court, the Court orders the following with respect to any document a party seeks to file under seal. The objective here is for the Court to approve a sealing request before a document is entered under seal in the case docket.

Any document a party seeks to file under seal must first be emailed to chambers, efile_burns@casd.uscourts.gov, with the words "Sealing Request" in the subject line. The subject document must be attached to the email in PDF format, together with a supplemental brief, also in PDF format, setting forth the good cause for sealing. A proposed order should also be attached, in either Word or WordPerfect format, and it should identify the document to be sealed by name. The parties are admonished that openness is the default presumption, and the mere assertion that an open filing will jeopardize the rights of a party is inadequate to justify sealing. See *Associated Press v. United States District Court*, 705 F.2d 1143, 1147 (9th Cir. 1983) (reciting substantive prerequisites to closure).

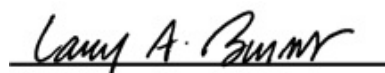
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1 If the Court determines that a sealing order is justified, it will forward a signed sealing
2 order, the brief supporting sealing, and the particular document that is to be filed under seal
3 to the Clerk of the Court for filing. If the Court determines that a sealing request is
4 unjustified, it will inform counsel for the requesting party telephonically. Counsel will then
5 have the choice: (1) to file the document openly; (2) to modify the document to ameliorate
6 the concern, and then file it openly; or (3) to forego filing the document.

7 Effective immediately, the Clerk of the Court is instructed not to accept any
8 purportedly sealed document that has not been preauthorized for sealing by the Court.

9 **IT IS SO ORDERED.**

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11 DATED this 3rd day of March, 2011.

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13 **HONORABLE LARRY ALAN BURNS**
14 United States District Judge